

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JUDITH ELLUL,

PLAINTIFF,

CASE NO. 05-74354

v.

HONORABLE ARTHUR J. TARNOW  
UNITED STATES DISTRICT JUDGE

COMMISSIONER OF SOCIAL SECURITY,

DEFENDANT.

MAGISTRATE JUDGE  
WALLACE CAPEL, JR.

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**ORDER ADOPTING THE MAGISTRATE'S REPORT AND  
RECOMMENDATION [D/E # 25]**

The Court having reviewed the parties motions, the Magistrate Judge's Report and Recommendation filed on November 20, 2006, as well as the administrative record, and having received no objections from either party,

**IT IS HEREBY ORDERED** that the Report is accepted and entered as the findings and conclusions of this Court. As a result, the Plaintiff's Motion for Summary Judgment [D/E # 18] is **GRANTED IN PART**, Defendant's Motion for Summary Judgment [D/E # 23] is **DENIED**, and the case is **REMANDED** for proceedings consistent with the Magistrate's Report.

s/Arthur J. Tarnow  
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Arthur J. Tarnow  
United States District Judge

Dated: December 22, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on December 22, 2006, by electronic and/or ordinary mail.

s/Theresa E. Taylor  
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Case Manager